

REMARKS

Reconsideration and allowance are requested. Claims 1 - 7 are rejected. New claims 8 - 17 are added.

Rejection of Claims 1 - 2 Under Section 102

The Examiner rejects claims 1 - 2 under section 102 in view of U.S. Patent No. 5,703,655 to Corey et al. ("Corey et al."). Applicants traverse this rejection and submit that Corey et al. fail to teach each limitation of claims 1-2.

Claim 1 recites a method of indexing media that includes the step of indexing a media collection to create an indexed library based on a content of the media collection. As will be explained, Corey et al. fail to teach this limitation inasmuch as they teach indexing media information based on closed captioning text, not content of the media. As explained in the Abstract of Corey et al., "The present invention is a system and method for retrieving segments of stored video program using closed caption text data." The Examiner cites various portions of Corey et al. asserting that they teach "[creating] various index records based on the content of the video/audio data and store in video audio storage device...." Office Action, Paragraph 2. However, none of cited portions go so far as to disclose indexing records based on the content of the media collection. They are simply limited to closed-captioning indexing, which is a text-based approach using information modulated into the media content.

For Example, the Examiner cites FIG. 1, but this figure highlights the text-based concept disclosed by showing closed-caption decoder 52 retrieving closed caption data 56 for closed caption storage 72. Similarly, FIG. 2 cited by the Examiner

limits its disclosure to the closed caption decoder 52, closed caption formatter 204, and closed caption storage 72.

The text cited by the Examiner also limits its disclosure to text-based closed-captioning. Col. 3, lines 39-42 state that “the video source 28 may, for example, be a source for either wireless or cable broadcasting of closed captioning programming (e.g., news reports and/or movies). Col. 4, lines 32 - 34 state: “...a closed caption storage device 72 for storing the above mentioned index records [are] also in communication with the control module.” Corey et al. never suggest or disclose utilizing any of the video content for its indexing process.

The closed caption information is not part of the content of the media collection. Col. 4, lines 4 - 12 state that

“...closed caption data is carried as digital data modulated into line 21 of the video baseband signal. This line is considered part of the vertical blanking interval of the video or TV signal. In the present embodiment, the closed caption decoder 52 is a model DE 152 Data Recovery Decoder III from EEG. This decoder outputs raw closed caption data either with text formatting control codes or with the closed caption data formatted according to the control codes.”

In sum, the closed captioning information is digital data that is modulated into the content of a media presentation. A separate decoder extracts this text formatted in a certain manner to use for indexing the video content according to Corey et al. In this manner, Corey et al. actually teach away from the present invention by avoiding the content of the media in its indexing process. As explained above, they avoid the actual content of the media by utilizing the closed captioning information modulated into the video baseband signal.

For the above reasons, Applicants submit that claim 1 is patentable over the prior art of record.

Claim 2 depends from claim 1 and recites further limitations therefrom. Claim 2 recites extracting speech recognition data as searchable text data. The Examiner asserts that Corey et al. teach this limitation in col. 5, lines 31 - 57, col. 6, lines 33 - 50, col. 7, lines 18 - 29 and col. 9, lines 3 - 36. Applicants traverse this analysis of Corey et al. and point out that in none of these portions do Corey et al. disclose extracting speech recognition data as searchable text data. Each of these portions of text further describes how to manipulate and utilize the closed caption text. Corey et al. simply fail to mention or disclose extracting speech recognition data. Since they fail to disclose extracting speech recognition data, they further fail to disclose using speech recognition data when closed captioning data is unavailable. Notably, Corey et al. in each instance cited by the Examiner simply assume that closed captioning data is available, and thus never suggest the step of using speech recognition data when closed captioning data is unavailable.

For these reasons, Applicants submit that claim 2 is patentable and in condition for allowance.

Rejection of Claims 3 - 7 Under Section 103

The Examiner rejects claims 3 - 7 Under Section 103 as being unpatentable over Corey et al. in view of U.S. Patent No. 6,567,980 to Jain et al. ("Jain et al."). Claims 3 - 7 each depend from claim 2, and recite further limitations therefrom. As mentioned above, Applicants assert that since Corey et al. fail to discuss or disclose any speech recognition data from media content, they cannot anticipate claim 2 that includes limitations of extracting speech recognition data as searchable text data. Accordingly, Applicants submit that claims 3 - 7 are patentable over the prior art of record inasmuch as the primary reference of Corey et al. simply does not disclose

each limitation of parent claim 2. Therefore, Corey et al. in view of Jain et al. in combination cannot disclose each limitation of claims 3 - 7.

Therefore, claims 3 - 7 are patentable and in condition for allowance.


Applicants have added new claims 8 - 17. Applicants submit that these claims are patentable and in condition for allowance.

CONCLUSION

Having addressed the rejection of claims 1 - 7 and added new claims 8 - 17, Applicants respectfully submit that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

Date: 09/17/03


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